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FROM: Paul K. Legaard

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# OF PAGES (INCLUDING COVER): 11

FILE NAME: IBIS0002-100 (IBIS-0368)

DATE: December 23, 2003

FILE #: 129859

| RECIPIENT(S)         | PHONE | FAX          |
|----------------------|-------|--------------|
| Examiner A. Marschel |       | 703.872.9306 |

MESSAGE: OFFICIAL FAX! PLEASE DELIVER TO EXAMINER MARSCHEL.

Serial No.: 09/891,793 Filing Date: June 26, 2001

Attachments: Transmittal form (1 page)  
Fee Transmittal (with authorization to charge deposit acct, if necessary)(1 page)  
Amendment (7 pages)  
Petition for Extension of Time (1 month) (1 page)

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PTO/SB/21 (08-03)  
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|  |                      |                             |
|--|----------------------|-----------------------------|
| <b>TRANSMITTAL FORM</b><br><br><i>(to be used for all correspondence after initial filing)</i> | Application Number   | 09/891,793                  |
|  | Filing Date          | June 26, 2001               |
|  | First Named Inventor | David J. Ecker              |
|  | Art Unit             | 1631                        |
|  | Examiner Name        | A. Marschel                 |
| Total Number of Pages in This Submission   |                      | 8 10 Attorney Docket Number |
|  |                      | IBIS0002-100 (IBIS-0368)    |

| ENCLOSURES (check all that apply)  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input checked="" type="checkbox"/> Amendment / Reply<br><br><input type="checkbox"/> After Final<br><br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">Remarks</div>  |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm or Individual name                    | Paul K. Logeard/38,534  |
| Signature                                  |  |
| Date                                       | 23 December 2003  |

| CERTIFICATE OF MAILING  |   |      |                  |
|---|---|------|------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |   |      |                  |
| Typed or printed name   | Paul K. Logeard   |      |                  |
| Signature   |  | Date | 23 December 2003 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Approved for use through 07/31/2006. OMB 0651-0032  
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$5) 110.00

## Complete if Known

Application Number 09/891,793  
Filing Date June 26, 2001  
First Named Inventor David J. Ecker  
Examiner Name A. Marschel  
Art Unit 1631  
Attorney Docket No. IBIS0002-100(IBIS-0368)

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-1275

Deposit Account Name Cozen O'Connor

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description        | Fee Paid |
|--------------|--------------|----------|----------|----------|----------|------------------------|----------|
| 1001         | 770          | 2001     | 385      |          |          | Utility filing fee     |          |
| 1002         | 340          | 2002     | 170      |          |          | Design filing fee      |          |
| 1003         | 530          | 2003     | 265      |          |          | Plant filing fee       |          |
| 1004         | 770          | 2004     | 385      |          |          | Reissue filing fee     |          |
| 1005         | 160          | 2005     | 80       |          |          | Provisional filing fee |          |

SUBTOTAL (1) (\$0)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims | Fee from below | Fee Paid |   |
|--------------------|--------------|----------------|----------|---|
| 18                 | -35 = 0      | X              | 0        |   |
| Independent Claims | 1            | -5 = 0         | X        | 0 |
| Multiple Dependent |              |                | X        |   |

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|--------------|--------------|----------|----------|----------|----------|--|----------|
| 1202         | 18           | 2202     | 9        |          |          | Claims in excess of 20                                     |          |
| 1201         | 86           | 2201     | 43       |          |          | Independent claims in excess of 3                          |          |
| 1203         | 290          | 2203     | 145      |          |          | Multiple dependent claim, if not paid                      |          |
| 1204         | 86           | 2204     | 43       |          |          | ** Reissue independent claims over original patent         |          |
| 1205         | 18           | 2205     | 9        |          |          | ** Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|--------------|--------------|----------|----------|----------|----------|--|----------|
| 1051         | 130          | 2051     | 65       |          |          | Surcharge - late filing fee or oath  |          |
| 1052         | 50           | 2052     | 25       |          |          | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053         | 130          | 2053     | 65       |          |          | Non-English specification  |          |
| 1812         | 2,520        | 2812     | 2,520    |          |          | For filing a request for reexamination                                     |          |
| 1804         | 920*         | 2804     | 920*     |          |          | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*       | 2805     | 1,840*   |          |          | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 110          | 2251     | 55       |          |          | Extension for reply within first month                                     | 110      |
| 1252         | 420          | 2252     | 210      |          |          | Extension for reply within second month                                    |          |
| 1253         | 950          | 2253     | 475      |          |          | Extension for reply within third month                                     |          |
| 1254         | 1,480        | 2254     | 740      |          |          | Extension for reply within fourth month                                    |          |
| 1255         | 2,010        | 2255     | 1,005    |          |          | Extension for reply within fifth month                                     |          |
| 1401         | 330          | 2401     | 165      |          |          | Notice of Appeal   |          |
| 1402         | 330          | 2402     | 165      |          |          | Filing a brief in support of an appeal                                     |          |
| 1403         | 290          | 2403     | 145      |          |          | Request for oral hearing   |          |
| 1451         | 1,510        | 2451     | 1,510    |          |          | Petition to institute a public use proceeding                              |          |
| 1452         | 110          | 2452     | 55       |          |          | Petition to revive - unavoidable   |          |
| 1453         | 1,330        | 2453     | 665      |          |          | Petition to revive - unintentional   |          |
| 1801         | 1,330        | 2601     | 665      |          |          | Utility issue fee (or reissue)   |          |
| 1502         | 480          | 2502     | 240      |          |          | Design issue fee   |          |
| 1503         | 640          | 2503     | 320      |          |          | Plant issue fee  |          |
| 1480         | 130          | 2480     | 65       |          |          | Petitions to the Commissioner  |          |
| 1807         | 50           | 2807     | 25       |          |          | Processing fee under 37 CFR 1.17 (a)                                       |          |
| 1806         | 180          | 2806     | 90       |          |          | Submission of Information Disclosure Sheet                                 |          |
| 8021         | 40           | 8021     | 40       |          |          | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 770          | 2809     | 385      |          |          | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810         | 770          | 2810     | 385      |          |          | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801         | 770          | 2801     | 385      |          |          | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900          | 2802     | 450      |          |          | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$110)

## SUBMITTED BY

| Name (Print/Type) | Registration No. (Attorney/Agent) | Telephone    | Date              |
|-------------------|-----------------------------------|--------------|-------------------|
| Paul K. Legaard   | 38,634                            | 215 665 6014 | December 23, 2003 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/22 (06-03)

Approved for use through 4/30/2003. OMB 0651-0031

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|  |                                |   |
|--|--------------------------------|---|
| <b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>  |                                | <b>Docket Number (Optional)</b><br>IBIS0002-100 (IBIS-0368) |
| In re Application of <b>David J. Ecker</b>   |                                |   |
| Application Number <b>08/691,793</b>   |                                | Filed <b>June 28, 2001</b>                                  |
| <b>For A SECONDARY STRUCTURE DEFINING DATABASE AND METHODS FOR DETERMINING IDENTITY AND GEOGRAPHIC ORIGIN OF AN UNKNOWN BIOAGENT THEREBY</b> |                                |   |
| Art Unit<br><b>1631</b>  | Examiner<br><b>A. Marschel</b> |   |

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

|   |          |
|---|----------|
| <input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$110.00 |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2))           | \$       |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3))         | \$       |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4))          | \$       |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5))          |          |

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-1275.  
I have enclosed a duplicate copy of this sheet.


I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ attorney or agent of record.

☐ attorney or agent under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a): \_\_\_\_\_

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|                   |  |
|-------------------|--|
| December 23, 2003 |  |
| Date              | Signature  |
| 215.665.6914      | Paul K. Legaard  |
| Telephone Number  | Typed or printed name  |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

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